

PART H

Section 1. There is hereby created the Hurricane Irene-Tropical Storm Lee Flood Recovery Grant Program.

1. (a) Small businesses, farms, multiple dwellings and not-for-profit organizations that sustained direct physical flood-related damage as a result of Hurricane Irene or Tropical Storm Lee are eligible to apply for a grant under this section. Such grant shall be in an amount no more than \$20,000 and shall be used for storm-related repairs and restoration to structures, and for other storm-related costs, which were not covered by any other federal, state or local recovery program or any third-party payors.

(b) Empire state development shall administer this grant program, which shall not exceed \$21,000,000. Empire state development is hereby empowered to establish grant guidelines and additional eligibility criteria, based on available flood damage data provided by applicable federal agencies, as it deems necessary to effectuate the administration of this program. In providing assistance pursuant to this section, empire state development shall give preference to applicants that demonstrate the greatest need, based on available flood damage data provided by applicable federal agencies.

2. (a) Empire state development, in consultation with the department of environmental conservation, shall administer a grant program for counties for flood mitigation or flood control projects in creeks, streams, and brooks. Only counties that have been included in the federal disaster declarations for Hurricane Irene or Tropical Storm Lee are eligible to apply for a grant under this subdivision.

(b) This grant program shall not exceed \$9,000,000. Individual grants shall be not less than \$300,000 and not more than \$500,000, provided however, counties may jointly apply for such grants, and the amount for such joint grants may equal the sum of the amounts that would have been separately available to the individual counties making such joint application. Empire state development, in consultation with the department of environmental conservation, is hereby empowered to establish grant guidelines and additional eligibility criteria, based on available flood damage data provided by applicable federal agencies, as it deems necessary to effectuate the administration of this program. In providing assistance pursuant to this section, empire state development shall give preference to applicants that demonstrate the greatest need, based on available flood damage data provided by applicable federal agencies. Priority also may be given to remediation which if not undertaken may result in additional flooding.

3. The director of the budget, in consultation with the temporary president of the senate and the speaker of the assembly, shall develop a plan and criteria regarding distribution of funding to municipalities located in an area which was included in a federal disaster declaration for either Hurricane Irene or Tropical Storm Lee. Such program shall not exceed \$20,000,000. The director of the budget may direct and authorize any other state agency to assist in administration and distribution of these funds. § 2. This act shall take effect immediately.